



# Ministry of Defence Police

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Our Ref: eCase: FOI2019/05023 RFI: 167/19

Date: 23 May 2019

Dear [REDACTED]

## **FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: COVERT HUMAN INTELLIGENCE SOURCES**

I refer to your email dated 25 April 2019 which was acknowledged on 1 May 2019.

We are treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your email you requested the following information:

**“The sum in £ and number of payments made by your force to covert human intelligence sources in each of the financial years listed below.**

1. 2014/15
2. 2015/16
3. 2016/17
4. 2017/18
5. 2018/19”

A search for information has been completed by the Ministry of Defence Police (MDP) and I can confirm that we do hold information in scope of your request as follows:

| Year     | Amount paid to informants £ |
|----------|-----------------------------|
| 2014     | 2210                        |
| 2015     | 4077                        |
| 2016     | 5920                        |
| *2017/18 | 3200                        |
| 2018/19  | 1006                        |

\*Financial Year basis from 17/18 onwards

Information relating to the number of payments is withheld under Section 30(2) Investigations and Proceedings, Section 30 (2) is a class based exemption. I have conducted a Public Interest Test (PIT) and concluded that the balance favours exempting the information from release. Section 30(2) (investigations) applies because the release of information would likely to be prejudicial to both the process and the individuals concerned. MDP understands the importance of releasing information that is in the public interest in terms of transparency and openness, however on balance it has decided to withhold the information as it's release could jeopardise investigations by damaging working relationships with current informers and jeopardise those vital roles. Informants play a vital role in assisting the police, and this relationship is based very much on trust and the expectation of complete confidentiality, the Ministry of Defence Police would not disclose information which could compromise future law enforcement capabilities.

Additionally, the Ministry of Defence Police can neither confirm nor deny that they hold any other information relevant to the whole of your request by virtue of the following exemptions:

Section 23(5) Information relating to security bodies

Section 24(2) National Security

Section 30(3) Investigations

Section 23 is an absolute exemption and not subject to a public interest test.

Section 24(2) is a qualified prejudiced based exemption, there is a requirement for us to evidence harm confirming or denying information is held and also consider the public interest.

Section 30(3) ) is a class based qualified exemption, there is a requirement for us to evidence harm confirming or denying information is held and also consider the public interest.

Section 24(2) is engaged because to confirm or deny whether the Ministry of Defence Police hold any additional information would allow inferences to be made about the nature and extent of national security related activities which may or may not take place. This could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security.

Section 30(3) is engaged because to confirm or deny whether the Ministry of Defence Police hold any additional information could jeopardise the necessary protection to individuals. The police service as a whole will never disclose information that could potentially hinder the prevention and detection of crime.

This should not be taken as conclusive evidence that any other information that would meet your request exists or does not exist.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO- FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office